

Service Animals

What is a Service Animal?

Under the Americans with Disabilities Act (ADA), a service animal is “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals under the ADA. However, the ADA does include miniature horses in the definition of service animals, providing that the horse has been individually trained to do work or perform tasks for the individual with the disability. There is also a maximum size and weight restriction for a miniature horse that acts as a service animal. The work or tasks performed by a service animal must be directly related to the individual’s disability.” 28 C.F.R. §§ 35.104 and 36.104.

Under North Dakota law, a service animal is “any dog trained to do work, perform tasks, or provide assistance for the benefit of an individual with a disability. The term includes a dog trained to provide assistance to an individual with a disability, pull a wheelchair, lend balance support, retrieve dropped objects, or provide assistance in a medical crisis.” N.D.C.C. § 25-13-01.1.

What are the Responsibilities of Owning a Service Animal?

The service animal must be under the control of its owner. This can be accomplished by harness, leash, or voice control. If the service animal is not under control and the owner fails to take effective action to control the service animal, or the service animal poses a direct threat to the health or safety of others, it is allowable to require the animal to be removed from the premises. The animal must be “house broken.” The owner must also comply with local animal control and public health requirements, such as up-to-date vaccinations and licensing.



DISABILITY RIGHTS
NORTH DAKOTA

1-800-472-2670
(701) 328-2950
ND Relay 711 TTY
www.ndpanda.org
panda_intake@nd.gov

How Do Service Animals Assist People with Disabilities?

- Guide Blind people or people who have low vision
- Alert Deaf people or people who are hard of hearing
- Provide non-violent protection or rescue work
- Pull wheelchairs
- Assist an individual during a seizure
- Alert individuals to the presence of allergens
- Retrieve items such as medicine or the telephone
- Provide physical support and assistance with balance and stability
- Help persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors

Are Owners of Service Animals Required to Have Documentation?

An owner of a service animal cannot be required to show documentation of the animal's certification, licensure, or training by a state or local government or animal trainer. It's not required that a service animal is professionally trained. All that can be asked of the owner are two questions:

- Is the animal required because of a disability? (This does not mean that the owner must disclose their disability.)
- What task or work is the animal trained to perform for you?

Additional Resources

- [ADA National Network's Service Animals and Emotional Support Animals](#)
- [U.S. Department of Justice's Frequently Asked Questions About Service Animals and the ADA](#)
- [U.S. Department of Justice's ADA Requirements: Service Animals](#)

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